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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING Docket Number (Optional) REJECTION OVER A "PRIOR" PATENT SHE0030.13 In re Application of: J. Milton Harris, et al. Application No.: 10/668,456 First September 23, 2003 For: POLY(ETHYLENE GLYCOL) DERIVATIVES WITH PROXIMAL REACTIVE GROUPS The owner', Nektar Therapeutics AL Corp of 100 percent interest in the instant application includes accept as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond except as provided below, the terminal part of the statutory term of any patent No. 6,362,254 as the term of said prior patent is defined in 350.82.164 accept as provided below, the terminal part of the student with any patient of any patient of the full stratutory term prior patient No. 6.362,234 as the term of said prior patient is presently shortened by any terminal disclaimer. The owner handly agreed that any patient so granted on the instant application shall be enforceable only for and during such period that it and the prior patient are commonly count. This agreement huns with any patient granted on the instant application and is binding upon the grantee, its successors or assigns. in making the above discisimer, the owner does not discisim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal discisimer," in the event that said prior patent later. expires for failure to pay a maintenance fee; la held unanforceable; is found invalid by a court of competent jurisdiction; is statularly disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disotalmer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that within takes statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such within takes statements may jeopardize the validity of the application or any patent issued thereon. 2. X The undersigned is an attorney or agent of record. Reg. No. 03/08/2005 Mark A. Wilson Typed or printed name (650) 631-3100 Telephone Number X Terminal discisimer fee under 37 CFR 1.20(d) included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. Statement under 97 CFR 3.73(b) is required if terminal disclaimer is eigned by the assignee (owner). Form PTO/38/86 may be used for making this certification, See MPEP § 324.

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